

REMARKS

Status of Claims. With this amendment, claims 1 and 12 have been amended to clarify the operation of the recited subject matter. Claims 8-11 have been canceled. Claim 21 has been added. No new matter has been added. Reconsideration and allowance of the current application are requested.

Claims 1-7, 19, and 20 have been rejected under 35 U.S.C. §101 for allegedly being directed to non-statutory subject matter. Claims 9-11¹ have been rejected under 35 U.S.C. §112, second paragraph for allegedly being indefinite for failing to point out and distinctly claim the subject matter that Applicant regards as the invention. Claims 1-20 have been rejected under 35 U.S.C. §103(a) for allegedly being obvious over U.S. Publication No. 2002/0161688 to Stewart *et al.* (hereinafter "Stewart") in view of U.S. Patent No. 6,085,030 to Whitehead ("Whitehead").

Rejections under 35 U.S.C. § 101

Claims 1-11, 19, and 20 stand rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. These rejections are traversed. Claims 8-11 have been canceled without prejudice or disclaimer in an effort to further prosecution in this matter. Claim 1 has been amended to explicitly recite that the integration server is implemented on a processor. It is respectfully submitted that this amendment renders claim 1 and all claims that depend therefrom statutory subject matter. Withdrawal of the pending rejections under 35 U.S.C. § 101 is therefore respectfully requested.

¹ The Office Action of December 13, 2007 states on page 3 that "Claim3 [sic] is rejected under 35 U.S.C. §112, second paragraph" and that "The claims recite 'the arrangement in accordance with claim 8'." Claim 3 does not recite the quoted passage. However, claims 9-11 do, so Applicant has interpreted this rejection as being addressed to claims 9-11.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 9-11 stand rejected under 35 U.S.C. §112 as allegedly being indefinite. Claims 8-11 have been canceled without prejudice or disclaimer in an effort to further prosecution in this matter. As such, this rejection has been mooted.

Rejections under 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as allegedly obvious over Stewart in view of Whitehead. These rejections are traversed. For a valid rejection under 35 U.S.C. §103, the Office must establish a valid *prima facie* basis for the obviousness of the claimed subject matter. This *prima facie* basis must include the identification of disclosures of all of the claimed elements in one or more prior art references and a reason why one of skill in the art would have found a reason (absent the teachings of the instant invention) to combine and/or modify the disclosures of the combined prior art references to create the instantly claimed subject matter. It is respectfully submitted that the Office has failed to meet this burden with regards to the subject matter of existing claims 1 and 12 and new claim 21.

Stewart discloses an enterprise-wide electronic commerce system that is based on a central hub architecture. Participant trading partners communicate with one another by joining conversations hosted in a collaboration space and managed by a collaboration hub. Trading partners use collaboration enablers, or c-enablers 158, software applications allowing them to send messages to, and receive messages from, the c-hub (see e.g. ¶[0085]). The provided architecture allows each trading partner to handle the implementation of their own business process and rules locally, while conforming to the rules of engagement (defined by the global information and business protocols) for a given c-space (see e.g. ¶[0141]).

Whitehead discloses a component server architecture that enables consumer nodes of a computer network to interact with heterogeneous software components and services distributed

throughout the network. Whitehead does not in any way deal with or disclose an integrated message exchange system for exchange of messages between collaborative business applications or for executing business process logic on the exchanged messages. Rather, Whitehead deals exclusively with an architecture that matches one or more network components and services with a requesting component consumer application.

Claim 1 has been amended only to add further clarity to the claimed subject matter. Among other limitations, the claim recites a “message transport layer that transports messages from at least one sending application of the one or more installed applications to one or more receiving applications of the one or more installed applications” and “a business process layer that executes business process logic on selected messages processed by the message transport layer.” The claim further recites the limitation that the messages are selected “based on an application of the configuration-specific collaboration descriptions captured in the integration directory.” While the reasoning used by the Office in stating the rejection of claim 1 is not entirely clear, it appears that the Office’s obviousness argument rests on three assertions:

1. Stewart discloses a business protocol management layer that executes business logic,
2. Whitehead discloses matching and binding of requested application components with registered components using application descriptions and then passing of the matched component to the requesting consumer; and
3. The “matching and binding of Whitehead’s application components” is in some way equivalent to or suggestive of selecting messages to be exchanged between applications based on application of business process logic.

Even assuming *arguendo* that assertions 1 and 2 are completely accurate, the combination of Whitehead and Stewart fails to disclose the use of business process logic to

select messages to be exchanged between applications. Furthermore, with regards to assertion 3 Whitehead does not discuss or even hint at business logic or even intra-application messaging but rather is directed entirely to accessing of network components. As such, the Office has both failed to establish that the cited references fully disclose all of the elements of claim 1 and furthermore failed to demonstrate why one of ordinary skill in the art would have found some reason to combine or modify Stewart and Whitehead to produce the instantly claimed subject matter absent a reliance on impermissible hindsight.

Claim 8 has been amended to add a limitation similar to that discussed above for claim 1. New claim 21 has also been added to recite a computer-readable medium. The subject matter of claim 21 also includes the above-discussed limitation of claim 1. It is respectfully submitted that this limitation renders the subject matter of claims 8 and 21 and all claims that depend therefrom allowable. Favorable action is requested.

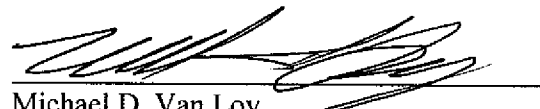
CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-061/2003P00050US01.

Respectfully submitted,

Date: February 12, 2008


Michael D. Van Loy
Reg. No. 52,315

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
5355 Mira Sorrento Place, Suite 600
San Diego, CA 92121
Customer No. 64280
Tel.: 858/320-3059
Fax: 858/320-3001